HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 611 of 2005 (SS)

Lalit Chandra ..... Petitioner.

Versus

1. Chief General Manager, Uttaranchal Jal Sansthan, Dehradun.
2. General Manager, Kumaon Division, Uttaranchal Jal Sansthan, Nainital.
3. Director Treasury & Finance Services Uttaranchal, Dehradun

Sri P.C. Bisht, Advocate for the petitioner.

Sri J.P. Joshi, Advocate for the respondents.

Dated: 19.5.2005

Hon'ble Rajesh Tandon, J.

Heard the leaned counsel for the parties.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondents to make payment of retirement benefits due to late Sri Nathu Lal to the petitioner.

Briefly stated, the father of the petitioner late Sri Nathu Lal was working as Khallasi in Uttaranchal Jal Sansthan, Bhowali, District Nainital. He retired after completing the age of susperannuation on 31.7.2002. The father of the petitioner made several representations to the respondents but only a sum of Rs. 35,000/- as interim gratuity was paid to him. His father died on 21.11.2004 leaving behind three sons in the family. The petitioner also made representations to the respondents but till

today no amount towards the retirement benefits of his father was paid to the family.

Sri J.P. Joshi, counsel for the respondents has not disputed the right of the petitioner for availing the retirement benefits of late Sri Nathu Lal and submitted that directions may be made to the Director Treasury and Finance Services, Uttaranchal who is liable to pay retirement benefits to the petitioner.

In view of the above, the respondents are directed to pay the outstanding amount of retirement benefits of late Sri Nathu Lal to his legal heirs within three months after the receipt of the certified copy of this order and after completing the usual formalities, if not completed as yet.

Accordingly, the writ petition is allowed. There will be no order as to costs.

Rajesh Tandon, J.

19.5.2005

*Dhyani